

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JONATHAN RIVERA-PIEROLA,)	
)	
Plaintiff,)	
v.)	Civil Action No.: CIV-21-616-PRW
)	
BOARD OF REGENTS FOR THE)	
OKLAHOMA AGRICULTURAL AND)	
MECHANICAL COLLEGES; STATE OF)	
OKLAHOMA ex rel. OKLAHOMA STATE)	
UNIVERSITY; and ST. MATTHEWS)	
UNIVERSITY,)	
)	
Defendants.)	

DEFENDANTS' FINAL WITNESS AND EXHIBIT LIST

Pursuant to the Court's Scheduling Order, Defendants, the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges (the "Board") and Oklahoma State University ("OSU") (collectively hereinafter referred to as "Defendants") submit the following Final Witness and Exhibit List:

Defendants' List of Individuals Expected to be Called as Witnesses

In addition to Plaintiff, Jonathan Rivera-Pierola, Defendants anticipate calling the following individuals as witnesses:

OSU College of Veterinary Medicine Administration

1. Dr. Carlos Risco
Dean of the College of Veterinary Medicine
Oklahoma State University
200B McElroy Hall
Stillwater, OK 74078
(405)744-6651

Deposed; Dr. Risco is expected to testify to his role as the Dean of the College of

Veterinary medicine at OSU, his interactions and communications with Plaintiff and with faculty regarding Plaintiff, and any decision(s) he made with regard to Plaintiff's status in the Program.

2. Dr. Margi Gilmour
Associate Dean of Academic Affairs (retired)
College of Veterinary Medicine
Oklahoma State University
208 N. McFarland
Stillwater, OK 74078
(405)744-6595

Deposed; Dr. Gilmour is expected to testify to her role as the Associate Dean of Academic Affairs of the College of Veterinary Medicine at OSU at the time Plaintiff was attending OSU, her interactions and communications with Plaintiff and with faculty regarding Plaintiff's performance in the Program, and any decision(s) she made or about which she was consulted with regard to Plaintiff's status in the Program.

3. Dr. Daniel Burba
Veterinary Clinical Sciences Department Head
College of Veterinary Medicine
Oklahoma State University
2115 W. Farm Rd
Academic Center
Stillwater, OK 74078
Phone: 405-744-8468

Deposed: Dr. Burba is expected to testify as to his role as the Department Head for Veterinary Clinical Sciences and his knowledge of and/or involvement with, or lack thereof, Plaintiff during his enrollment in the Program.

OSU College of Veterinary Medicine Faculty Instructors

4. Dr. Paul Demars
Clinical Associate Professor
College of Veterinary Medicine
Oklahoma State University
2065 West Farm Road
Stillwater, OK 74078
(405)744-7000

Deposed; Dr. Demars is expected to testify as to his role as a clinical associate

professor in the field of Veterinary Clinical Sciences at OSU, his observations of Plaintiff during Plaintiff's clinical studies, his evaluations of Plaintiff during his rotations, specifically Plaintiff's Community Practice rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program.

5. Dr. Lara Sypniewski
Clinical Associate Professor
College of Veterinary Medicine
Oklahoma State University
Veterinary Teaching Hospital
Stillwater, OK 74078
(405)744-7305

Deposed; Dr. Sypniewski is expected to testify as to her role as a Clinical Associate Professor in the field of Veterinary Clinical Sciences at OSU, her observations of Plaintiff during Plaintiff's clinical studies, her evaluations of Plaintiff during his rotations, specifically Plaintiff's Community Practice rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program.

6. Dr. Stefano Di Concetto
Anesthesiology Instructor (no longer employed at OSU)
College of Veterinary Medicine
Oklahoma State University

Deposed; Dr. Di Concetto is expected to testify as to his role as the instructor of record for the Anesthesiology rotation during the time Plaintiff was attending OSU, his observations of Plaintiff during Plaintiff's clinical studies, his evaluations of Plaintiff during his rotations, specifically Plaintiff's Anesthesiology rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program.

7. Candace Thrasher
Manager of Academic Integrity and Outreach
Oklahoma State University
101 Whitehurst
Stillwater, OK 74078
Phone: 405-744-8789

Deposed; Candace Thrasher is expected to testify as to her role as the Academic Integrity Manager at OSU, the academic integrity policies and procedures in place at OSU, and the applicability, or lack thereof, to Plaintiff in this case.

**Defendants' List of Individuals Who Are Unlikely to be Called,
But May Potentially be Called as Witnesses**

OSU College of Veterinary Medicine Faculty Instructors

8. Dr. Shane Lyon
College of Veterinary Medicine (no longer employed at OSU)
Oklahoma State University
Veterinary Teaching Hospital
Stillwater, OK 74078
(405)744-7000

Dr. Lyon is expected to testify as to his role as an instructor for the Small Animal Internal Medicine rotation during the time Plaintiff was attending OSU, his observations of Plaintiff during Plaintiff's clinical studies, his evaluations of Plaintiff during his rotations, specifically Plaintiff's Small Animal Internal Medicine rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program.

9. Dr. Laura Nafe
College of Veterinary Medicine (no longer employed at OSU)
Oklahoma State University
W. Hall of Fame Ave.
Stillwater, OK 74078
(405)744-7000

Dr. Nafe is expected to testify as to her role as an instructor for the Small Animal Internal Medicine rotation during the time Plaintiff was attending OSU, her observations of Plaintiff during Plaintiff's clinical studies, her evaluations of Plaintiff during his rotations, specifically Plaintiff's Small Animal Internal Medicine rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program.

10. Dr. Candace Lyman
College of Veterinary Medicine (no longer employed OSU)
Oklahoma State University

Dr. Lyman is expected to testify as to her role as an instructor for the Hospital Based Theriogenology rotation during the time Plaintiff was attending OSU, her observations of Plaintiff during Plaintiff's clinical studies, her evaluations of Plaintiff during his rotations, specifically Plaintiff's Hospital Based Theriogenology rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the

Program.

11. Dr. Joao Lemos Brandao
Associate Professor
College of Veterinary Medicine
Oklahoma State University
Stillwater, OK 74078
(405)744-7000

Dr. Brandao is expected to testify as to his role as an instructor for the Zoological Medicine rotation during the time Plaintiff was attending OSU, his observations of Plaintiff during Plaintiff's clinical studies, his evaluations of Plaintiff during his rotations, specifically Plaintiff's Zoological Medicine rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program.

12. Cody McCarley
Veterinary Technician
College of Veterinary Medicine
Oklahoma State University
2065 W. Farm Road
Stillwater, OK 74078
(405)744-7000

Mr. McCarley is expected to testify as to his role as an instructor for the Small Animal Intensive Care rotation during the time Plaintiff was attending OSU, his observations of Plaintiff during Plaintiff's clinical studies, his evaluations of Plaintiff during his rotations, specifically Plaintiff's Small Animal Intensive Care rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program.

13. Dr. Melanie Boileau
Professor
College of Veterinary Medicine
Oklahoma State University
Stillwater, OK 74078
(405)744-6656

Dr. Boileau is expected to testify as to her role as an instructor for the Food Animal Medicine Clinic rotation during the time Plaintiff was attending OSU, her observations of Plaintiff during Plaintiff's clinical studies, her evaluations of Plaintiff during his rotations, specifically Plaintiff's Food Animal Medicine rotation, and interactions and communications with Plaintiff and/or with other

faculty and/or students regarding Plaintiff's performance in the Program.

14. Dr. Carrie Kuzma
College of Veterinary Medicine (no longer employed at OSU)
Oklahoma State University
Veterinary Teaching Hospital
Stillwater, OK 74078
(405)744-7000

Dr. Kuzma is expected to testify as to her role as an instructor for the Radiology rotation during the time Plaintiff was attending OSU, her observations of Plaintiff during Plaintiff's clinical studies, her evaluations of Plaintiff during his rotations, specifically Plaintiff's Radiology rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program.

OSU College of Veterinary Medicine Professional Standards Committee (2019-2020)

15. Dr. Kelly Allen
College of Veterinary Medicine (no longer employed at OSU)
Oklahoma State University
Stillwater, OK 74078

Dr. Allen will testify as to her role on the Professional Standards Committee ("PSC"), her recollection of the PSC's review of Plaintiff's performance in the Program, and the determination(s) reached by the PSC regarding Plaintiff.

16. Dr. Mike Davis
Professor
College of Veterinary Medicine
Oklahoma State University
Stillwater, OK 74078
(405)744-8171

Dr. Davis will testify as to his role on the PSC, his recollection of the PSC's review of Plaintiff's performance in the Program, and the determination(s) reached by the PSC regarding Plaintiff.

17. Dr. Erik Clary
College of Veterinary Medicine (no longer employed at OSU)
Oklahoma State University
Stillwater, OK 74078

Dr. Clary is expected to testify as to his role as an instructor for the Small Animal Surgery rotation during the time Plaintiff was attending OSU, his observations of Plaintiff during Plaintiff's clinical studies, his evaluations of Plaintiff during his rotations, specifically Plaintiff's Small Animal Surgery rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program. Additionally, Dr. Clary will testify as to his role on the PSC, his recollection of the PSC's review of Plaintiff's performance in the Program, and the determination(s) reached by the PSC regarding Plaintiff.

18. Dr. Lyndi Gilliam
Professor
College of Veterinary Medicine
Oklahoma State University
Veterinary Teaching Hospital
Stillwater, OK 74078
(405)744-6656

Dr. Gilliam is expected to testify as to her role as an instructor for the Equine Medicine/ Surgery Clinic rotation during the time Plaintiff was attending OSU, her observations of Plaintiff during Plaintiff's clinical studies, her evaluations of Plaintiff during his rotations, specifically Plaintiff's Equine Medicine/ Surgery Clinic rotation, and interactions and communications with Plaintiff and/or with other faculty and/or students regarding Plaintiff's performance in the Program. Additionally, Dr. Gilliam will testify as to her role on the PSC, her recollection of the PSC's review of Plaintiff's performance in the Program, and the determination(s) reached by the PSC regarding Plaintiff.

19. Dr. Myron Hinsdale
Associate Professor
College of Veterinary Medicine
Oklahoma State University
264 McElroy Hall
Stillwater, OK 74078
(405)744-8107

Dr. Hinsdale will testify as to his role on the PSC, his recollection of the PSC's review of Plaintiff's performance in the Program, and the determination(s) reached by the PSC regarding Plaintiff.

20. Dr. Mason Reichard
Professor
College of Veterinary Medicine

Oklahoma State University
 250 McElroy Hall
 Stillwater, OK 74078
 (405)744-8159

Dr. Reichard will testify as to his role as the Chair of the PSC, his recollection of the PSC's review of Plaintiff's performance in the Program, and the determination(s) reached by the PSC regarding Plaintiff.

Defendants' List of Exhibits

No.	Description	Identifiers
1	Plaintiff's St. Matthew's University Academic Transcript	Plaintiff's Depo. Ex. 1; Board 00002
2	Plaintiff's Evaluation and Final Grade for Small Animal Internal Medicine Rotation	Plaintiff's Depo. Ex. 2; Board 00068 – 00070
3	Letter from Dr. Gilmour regarding Plaintiff's grade of "D" (October 3, 2019)	Plaintiff's Depo. Ex. 3; Board 00089
4	Plaintiff's Evaluation and Final Grade for Community Practice Rotation	Plaintiff's Depo. Ex. 4; Board 00084 – 00085
5	Letter from Dr. Gilmour regarding Plaintiff's Dismissal from the Program (March 23, 2020)	Plaintiff's Depo. Ex. 5; Board 00090
6	Plaintiff's Appeal to Dean Risco	Plaintiff's Depo. Ex. 6; Board 00280 – 00281
7	Letter from Dr. Gilmour regarding Plaintiff's Placement on Academic Suspension (April 6, 2020)	Plaintiff's Depo. Ex. 7; Board 00094
8	Plaintiff's Grade Sheet for Anesthesia Rotation	Plaintiff's Depo. Ex. 8; Board 00086
9	Letter from Dr. Gilmour regarding Plaintiff's Dismissal from the Program (April 21, 2020)	Plaintiff's Depo. Ex. 9; Board 00095
10	Email from Plaintiff to Dr. Di Concetto (April 20, 2020)	Plaintiff's Depo. Ex. 10; Board 01445
11	Oklahoma State University Academic Integrity Policy	Plaintiff's Depo. Ex. 11
12	Plaintiff's Oklahoma State University Year IV Clinical Studies Academic Transcript	Board 00087
13	Oklahoma State University College of Veterinary Medicine Year IV Student Handbook	Board 00235 – 00277
14	PSC Letter to Dr. Gilmour (March 21, 2020)	Board 01175 – 01176

15	Anesthesiology Rotation Revised Syllabus	Board 00231 – 00234
16	Community Practice Rotation Syllabus	Board 00196 – 00204
17	Report of Defendants’ Rebuttal Expert Witness (if one is retained)	
17	Summary Exhibit (not yet prepared) listing all damages claimed by Plaintiff	
18	Invoices or other documents detailing amounts of compensation invoiced by and/or paid to Plaintiff’s expert witness Nik Volkov	
19	All exhibits utilized by all parties during depositions of all witnesses in this matter	
20	All exhibits listed by Plaintiff and not otherwise objected to by Defendants	
21	With permission of the Court, additional exhibits identified during the balance of discovery	

Respectfully submitted,

s/Clinton W. Pratt

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Gaylan Towle II, OBA #32884

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing was emailed this 31st day of July, 2023, to:

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